

PROCEEDINGS, COMMON COUNCIL MEETING
DECEMBER 1, 2020, 7:00 P.M.

CITY OF OAK CREEK
MILWAUKEE COUNTY

1. Mayor Bukiewicz called the meeting to order at 7:00 p.m. On roll call, the following alderpersons were present: Ald. Kurkowski, Ald. Loreck (via video conference), Ald. Duchniak, Ald. Toman, Ald. Gehl, and Ald. Guzikowski.

Also present were City Attorney Melissa Karls, Police Chief Steven Anderson (via video conference), IT Intern Noah Berg, Public Health Officer Darcy DuBois (via video conference), Communications Coordinator Leslie Flynn (via video conference), Department of Public Works Director Ted Johnson (via video conference), Assistant IT Manager Thomas Kramer, Public Librarian Jill Lininger, Department of Community Development Director Douglas Seymour (via video conference), City Engineer/Acting Building Commissioner Michael Simmons (via video conference), Police Captain David Stecker (via video conference), City Administrator Andrew Vickers, and City Clerk Catherine Roeske.

2. The meeting began with the Pledge of Allegiance being said by all present.
3. Ald. Kurkowski, seconded by Ald. Duchniak, moved to approve the minutes of the 11/17/20 meeting. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

4. **PUBLIC HEARING HELD TO CONSIDER CUP FOR AUTOMOTIVE, MOTORCYCLE, RECREATION VEHICLE AND MARINE SALES ON PROPERTY AT 9543 S. CHICAGO RD.**

A public hearing was held to consider a Conditional Use Permit for automotive, motorcycle, recreation vehicle and marine sales on the property at 9543 S. Chicago Rd. (See Item 5 for action on this hearing).

5. **PRESENTED AND ADOPTED: ORDINANCE NO. 2993, APPROVING CUP FOR AUTOMOTIVE, MOTORCYCLE, RECREATION VEHICLE AND MARINE SALES ON PROPERTY AT 9543 S. CHICAGO RD.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2993, approving a Conditional Use Permit for automotive, motorcycle, recreation vehicle and marine sales on the property at 9543 S. Chicago Rd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

6. **PUBLIC HEALTH OFFICER PROVIDES COVID-19 UPDATE.**

Darcy DuBois, Public Health Officer, provided the Common Council with a COVID-19 informational update.

7. **PRESENTED AND ADOPTED: ORDINANCE NO. 2989, FIXING SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR FULL-TIME NON-UNION GENERAL, SUPERVISORY AND MANAGEMENT PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR 2021.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2989, fixing the salary ranges, salary, wages and allowances for Full-Time Non-Union General, Supervisory and Management Personnel and other City offices and positions for the year 2021. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

8. **PRESENTED AND ADOPTED: ORDINANCE NO. 2990, FIXING SALARY RANGES, SALARY, WAGES AND ALLOWANCES FOR PART-TIME PERSONNEL AND OTHER CITY OFFICES AND POSITIONS FOR 2021.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2990, fixing the salary ranges, salary, wages and allowances for Part-Time Personnel and other City offices and positions for the year 2021. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

9. **PRESENTED AND ADOPTED: ORDINANCE NO. 2991, FIXING SALARY RANGES AND ALLOWANCES FOR POLICE LIEUTENANTS AND SERGEANTS FOR 2021.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2991, fixing the salary ranges and allowances for Police Lieutenants and Sergeants for the year 2021, with a correction to the Sergeants Total Compensation amount to reflect \$96,092. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

10. **PRESENTED AND ADOPTED: ORDINANCE NO. 2992, CONFIRMING ADOPTION OF SETTLEMENT AGREEMENT BETWEEN CITY AND "LAW", FIXING SALARY FOR MEMBERS OF ASSOCIATION FOR 2021.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Ordinance No. 2992, confirming adoption of the Settlement Agreement between the City of Oak Creek and Labor Association of Wisconsin, Inc., ("LAW") and fixing the salary for members of the Association for the year 2021. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

11. **PRESENTED AND ADOPTED: RESOLUTION NO. 12202-120120, ACKNOWLEDGING AND FILING 2021 CALENDAR YEAR SALARY GRADE PLANS AND BENEFITS FOR LIBRARY PERSONNEL.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12202-120120, acknowledging and filing the 2021 calendar year salary grade plans and benefits for library personnel. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

12. **PRESENTED AND ADOPTED: RESOLUTION NO. 12203-120120, ESTABLISHING VARIOUS FEES, PERMITS AND CHARGES CHARGED BY THE CITY, EFFECTIVE 1/1/2021.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adopt Resolution No. 12203-120120, establishing various fees, permits and charges charged by the City of Oak Creek. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

13. **COUNCIL APPROVES 2021 REGULAR COMBINED COMMON COUNCIL MEETING DATES.**

Ald. Loreck, seconded by Ald. Duchniak, moved to approve the 2021 Regular Combined Common Council meeting dates. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

14. **SUMMARIZED TREASURER'S REPORT ON INVESTMENT AND BANKING ACCOUNTS FOR MONTH ENDING OCTOBER 31, 2020.**

The Council was provided a Summarized Treasurer's Report on investment and banking accounts for the month ending October 31, 2020.

15. **PRESENTED AND ADOPTED: RESOLUTION NO. 12204-120120, ACCEPTING WORKMANSHIP OF RASCH CONSTRUCTION & ENGINEERING, INC., AND AUTHORIZING FINAL PAYMENT FOR PROJECT NO. 14037 – LAKE VISTA PARK STRUCTURES.**

Ald. Toman, seconded by Ald. Guzikowski, moved to adopt Resolution No. 12204-120120, accepting the workmanship of Rasch Construction & Engineering, Inc. and authorizing final payment for Project No. 14037 – Lake Vista Park Structures. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

16. **COUNCIL APPROVES PURCHASE OF ONE (1) 2021, JOHN DEERE 6130M TRACTOR WITH TIGER 30" ROTARY BOOM THROUGH MUNICIPAL LEASE PROGRAM IN AMOUNT OF \$185,876.88.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the purchase of one (1) 2021, John Deere 6130M Tractor with Tiger 30" Rotary Boom through the municipal lease program, in the amount of \$185,876.88. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

17. **COUNCIL APPROVES PURCHASE OF ONE (1) 2021 TRACKLESS MUNICIPAL UTILITY TRACTOR THROUGH THE MUNICIPAL LEASE PROGRAM IN AMOUNT OF \$170,708.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the purchase of one (1) 2021 Trackless Municipal Utility Tractor through the municipal lease program, in the amount of \$170,708. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

18. **LICENSE COMMITTEE.**

Ald. Kurkowski, seconded by Ald. Duchniak, moved to grant the various license requests as listed on the 12/1/20 License Committee Report.

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|-------------------------------------|--------------------------|
| * Michalin Withington (Smoke Creek) | * Leah Kutz (Target) |
| * Twynette Brazzell (Target) | * Travis Szydel (Target) |

Grant a change of agent to Marcus Cinemas of Wisconsin, LLC dba South Shore Cinemas, 7241 S. 13th St., from Michael Ridgway to Ryan C. Helland, 4376 S. 36th St., Greenfield.

On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

19. **COUNCIL APPROVES VENDOR SUMMARY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve the November 24, 2020 Vendor Summary Report in the amount of \$433,153.05. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

20. **COUNCIL CONVENES INTO CLOSED SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to convene into Closed Session at 8:06 p.m., pursuant to Wisconsin State Statutes, Section 19.85(1)(e) to consider a real estate purchase agreement for a portion of the City-owned property located at 9300 S. 5th Ave., 4001 E. Lake Vista Blvd. and 4200 E. Lake Vista Blvd. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

21. **COUNCIL RECONVENES INTO OPEN SESSION.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to reconvene into Open Session at 8:40 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

22. **COUNCIL APPROVES REAL ESTATE PURCHASE AGREEMENT WITH F STREET OCLV, LLC, AND AUTHORIZES MAYOR AND CLERK TO EXECUTE AGREEMENT, SUBJECT TO NON-SUBSTANTIVE MODIFICATIONS APPROVED BY CITY ADMINISTRATOR AND CITY ATTORNEY.**

Ald. Gehl, seconded by Ald. Guzikowski, moved to approve a Real Estate Purchase Agreement with F Street OCLV, LLC, and to authorize the Mayor and City Clerk to execute the agreement in behalf of the City, subject to non-substantive modifications as may be necessary to maintain the general intent, and that are approved by the City Administrator and City Attorney. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

ADJOURNMENT.

Ald. Kurkowski, seconded by Ald. Duchniak, moved to adjourn the meeting at 8:41 p.m. On roll call, the vote was as follows: Ald. Kurkowski, aye; Ald. Loreck, aye; Ald. Duchniak, aye; Ald. Toman, aye; Ald. Gehl, aye, and Ald. Guzikowski, aye.

ATTEST:

Catherine A. Roeske, City Clerk

Daniel J. Bukiewicz, Mayor